

Senator Wood moved to postpone the special order under consideration until Wednesday next, at 11 A. M., make it special order for that day and hour, and to continue as said special order from day to day until disposed of. Lost by the following vote:

Yeas—Senators Allison, Bradshaw, Camp, Davenport, Dillard, Hobby, Moore, Trolinger, Westfall and Wood—10.

Nays—Senators Ball, Baker, Culberson, Dwyer, Erath, Flanagan, Friend, Ledbetter, Morris, Randle, Russell, Stirman and Swift—13.

Pending the discussion of the special order, a message was received from the House informing the Senate that the House had passed the following bills: Senate bill No. 56, to regulate the collection of accounts from another State, or from another county in this State than that in which suit is brought; Senate bill No. 91, for the relief of the purchasers of University lands, and to validate the patents heretofore issued, with amendments; Senate bill No. 32, to amend article seven hundred and seventy-three *b*, of the Criminal Code; Senate bill No. 53, to amend article five hundred and eighty-seven of the Code of Criminal Procedure; Senate bill No. 117, to amend section thirteen of an act providing for a geological survey of the State; Senate bill No. 189, to authorize justices of the peace to employ assistant assessors in certain cases; Senate bill No. 192, to validate assessments made by assistant assessors; House bill No. 316, to legalize the acts of certain officers; House bill No. 305, to define the land districts of Brown and San Saba counties; House bill No. 234, to enable one person to hold two or more offices in certain cases; House bill No. 233, to make clerks of the district courts in certain counties to qualify as justices of the peace; House bill No. 228, to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes; House bill No. 222, to require the Commissioner of the General Land Office to furnish copies of field notes and surveys to counties of the State; House joint resolution No. 22, authorizing the Governor to settle the claim of George W. Paschal; House bill No. 122, "An act to amend and supplemental to 'An act to provide for the incorporation of towns and cities,'" approved May 26, 1873, the same being "An act to amend and supplemental to 'An act to provide for the incorporation of towns and cities,'" approved January 27, 1858; House bill No. 205, "An act to protect fish in the inland streams and waters of Texas during the spawning season."

Senator Westfall moved that the Senate go into a Committee of the Whole.

Senator Davenport moved that the Senate stand adjourned. Carried by the following vote:

Yeas—Senators Ball, Bradshaw, Burton, Camp, Davenport, Dillard, Erath, Hobby, Morris, Moore, Trolinger, Westfall and Wood—13.

Nays—Senators Allison, Baker, Culberson, Dwyer, Flanagan, Friend, Ledbetter, Randle, Russell, Stirman and Swift—11.

FORTY-NINTH DAY.

SENATE CHAMBER,
AUSTIN, March 13, 1874. }

Senate met pursuant to adjournment. Roll called; quorum present.

Prayer by the chaplain.

Journal of yesterday read and adopted.

On motion of Senator Trolinger, Senator Parker was excused for the day on account of illness.

Senator Dillard presented three petitions from citizens of Cherokee county, all "praying that the present county of Cherokee be divided into two counties." Read and referred to committee on Counties and County Boundaries.

By leave, Senator Dillard introduced a bill entitled "An act to create the county of Dillard." Read first time and referred to committee on Counties and County Boundaries.

(Senator Ball in the chair.)

Senator Dwyer, by leave, introduced a bill entitled "An act for the relief of the veterans of the revolutionary war, herein named." Read first time and referred to Committee on Private Land Claims.

Senator Camp presented a memorial from the county court of Smith county. Read and referred to Committee on State Affairs.

Senator Friend presented a petition from a portion of the citizens of Matagorda county, "asking that the portion of the county in which they live, may be added to the county of Calhoun." Read and referred to Committee on Counties and County Boundaries.

Senator Dillard presented a petition from the town of Jacksonville, Cherokee county and vicinity, "asking that the Legislature pass a law to prohibit the sale of spirituous liquors within three miles of said town." Read and referred to Judiciary Committee.

Senator Wood for special joint committee, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your special joint committee to whom was referred the address to remove Hon. J. B. Williamson, Judge of the Sixth Judicial District, have had the same under consideration, and have summoned the said

Judge J. B. Williamson to appear and answer the charges preferred against him; and he having appeared and answered them; we have taken and had the evidence in said case printed, which is herewith submitted with this report. We would recommend that the case be set for trial on Wednesday, the eighteenth day of March, at 10 A. M., before the Senate and House of Representatives in joint session, and that they decide by yeas and nays, whether each or any of the charges are sustained by the evidence or not. We further recommend that the counsel for the State and for the defense have four hours time each, for argument. We also recommend that Col F. B. Sexton, H. P. Mabry and W. M. Walton, be allowed to appear for the State, and that G. L. Hill, J. P. Turner, G. B. Lipcomb and J. A. Robertson be allowed to appear and defend in behalf of Judge J. B. Williamson, aforesaid.

W. D. WOOD,

Chairman, *pro tem*, Senate Committee.

G. L. GOODWIN,

Chairman House Committee.

Report from Committee on Printing:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Printing to whom was referred Senate bill No. 206, "An act to provide for printing a manual of laws in the German and Spanish languages," have had the same under consideration, and instruct me to report it back with the recommendation that it do pass.

DAVENPORT, Chairman.

Reports from Committee on Education:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 221, "An act to make an appropriation to complete the Agricultural and Mechanical College," have had the same under consideration and instruct me to report it back with the recommendation that it do pass.

W. H. WESTFALL, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 252, "An act to make an appropriation for four extra clerks in the office of Superintendent of Public Instruction," have had the same under consideration, and instruct me to report the same back with the recommendation that it do pass.

W. H. WESTFALL, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Education, to whom was referred Senate bill No. 243, "An act to authorize county courts to fill vacancies in the office of school directors, and to validate apportionments heretofore made," have had the same under consideration, and instruct me to report it back with the recommendation that the same do pass.

W. H. WESTFALL, Chairman.

Senator Dillard, for the special joint committee in the case of Judge M. Priest, of the Fourth Judicial District, submitted the following report:

Hon. R. B. Hubbard, President of the Senate:

Your special joint committee, to whom was referred "The address to remove Hon. M. Priest, Judge of the Fourth Judicial District," have had the same under consideration, have summoned the said Judge M. Priest to appear and answer the charges preferred against him, and have taken and had printed the evidence in said cause, which is herewith submitted with this report.

We recommend that the case be set for trial on Saturday, the fourteenth day of March, at 11 A. M., before the Senate and House of Representatives in joint session, and that they decide by yeas and nays whether each or any of the charges are sustained by the evidence or not. We further recommend that the counsel for the State and for the defense have four hours' time each for argument. We also recommend that Major E. W. Bush, and any other counsel he may select and unite with him, be allowed to appear for the State, and that Judge M. Priest be allowed to appear and defend in person or by attorney.

J. E. DILLARD,

Chairman Senate Committee.

J. H. MCLEARY,

Chairman House Committee.

Report from Committee on Public Debt:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Public Debt, to whom was referred "the petition of the heirs of James Rogers, deceased," have had the same under consideration, and the majority of the committee instruct me to report the same back with the recommendation that the prayer therein be not granted.

Respectfully submitted.

W. H. RUSSELL, Chairman.

Reports from Committee on Engrossed Bills:

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 120, "An act to create and provide for the organization of the county of Camp;" also, Senate bill No. 81, "An act for the relief of the several justices of the peace of several counties of the State for assessing the taxes, State and county, in their respective counties for the year A. D. 1873;" also, Senate bill No. 165, "An act to provide for a special registration of voters in any unorganized or disorganized county within the State of Texas," and find each and all of them correctly engrossed.

ED. RANDLE, Chairman.

Hon. R. B. Hubbard, President of the Senate:

Your Committee on Engrossed Bills beg

leave to report that they have carefully examined and compared Senate joint resolution No. 208, instructing and requesting our Congressional delegation to urge upon Congress the speedy reimbursement of Henry Warren, for losses incurred by reason of the destruction of his wagon trains and other property by the Comanche, Kiowa and Cheyenne Indians, and find the same correctly engrossed.

ED. RANDLE, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 71, "An act to amend an act entitled 'An act to incorporate the Agricultural, Mechanical and Blood Stock Association of Texas,'" approved October 20, 1866, and find the same correctly engrossed.

ED. RANDLE, Chairman.

Hon. R. B. Hubbard, President of the Senate :

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate substitute for House bill No. 6, "An act to ascertain the amount due the teachers of the public free schools of this State for services rendered as teachers prior to the first day of January, 1873, and to provide for the payment of the same," and find the same correctly engrossed.

ED. RANDLE, Chairman.

Senator Davenport offered the following resolution:

WHEREAS, The measure providing for a call of a constitutional convention has failed to become a law; therefore, be it

Resolved, by the Senate, the House concurring, That the members of the Committee on Constitutional Amendments of the Senate and House, shall constitute a special joint committee to take into consideration what amendments are necessary and proper to the present constitution to meet the wants of good government; and to report by bill or otherwise as soon as practicable. Read and laid over under the rules.

Senator Wood introduced a bill entitled "An act amending an act entitled 'An act prescribing the mode of proceeding in the district courts, in matters of probate,'" approved August 15, 1870. Read first time and referred to Judiciary Committee.

Senator Dillard introduced a bill entitled "An act to aid in the construction of the International railroad, by donating lands to the company owning the same, upon certain conditions." Read first time and directed to lie on secretary's desk.

On motion of Senator Culberson, Senator Wood was excused for one week from tomorrow.

On motion of Senator Dillard, the rules were suspended to take up the report presented by Senator Wood, for special joint

committee, this morning in the case of Judge J. B. Williamson. Report read and adopted.

On motion of Senator Dillard, the rules were suspended to take up the report presented by Senator Dillard for special joint committee, in the case of Judge Priest, of the Fourth Judicial District. Report taken up, read and adopted.

The unfinished business being the consideration of Senate bill No. 148, "An act to limit the amount to be issued in bonds of the State to the International Railroad Company, and to provide for the payment of the same," as also the amendment offered by Senator Wood, pending on yesterday when the Senate adjourned, was taken up.

(Mr. President in the chair.)

The original bill and the amendment was read.

Senator Dwyer moved that the amendment be laid on the table.

Senator Bradley moved a call of the Senate. Call sustained.

Roll called, and Senators Burton, Ireland, and Wood were found to be absent.

The sergeant-at-arms was dispatched for absent Senators.

Senator Wood was announced as having arrived.

On motion of Senator Westfall, the call was suspended.

On motion of Senator Flanagan, the Senate took a recess of twenty-five minutes to prepare the Senate for the reception of the court, as the hour for the organization of the same was near at hand.

At the expiration of the time, the Senate was called to order. Roll called; quorum present.

The President announced that, as the hour had arrived for the Senate to go into session as a court of impeachment, for the trial of Judge Chambers, of the First Judicial District, the court was now organized.

IN COURT.

The sergeant-at-arms made the usual proclamation.

The secretary of the Senate was instructed to inform the House and board of managers thereof, that the Senate was now sitting as a high court of impeachment for the trial of Judge Chambers, of the First Judicial District, and to invite them into the said court.

The secretary returned, and informed the President that he had obeyed his instructions.

The sergeant-at-arms was instructed to invite the respondent within the bar of the court, who came forward and took a seat.

The sergeant-at-arms announced the board of managers.

They came forward and took a seat within the bar of the court.

The board of managers and respondent announced themselves as ready to proceed.

On motion of Senator Camp, Senator Culberson was excused from voting on the case before the court, as he was absent during all the action heretofore had in said case.

The President of the Senate announced that two speakers would be allowed to address the court in behalf of the State, and two in behalf of the respondent; and no limit of time would be made as to how long each one should speak.

Representative Farrar, of the board of managers, then addressed the court.

The respondent then addressed the court. During his remarks, on motion of Senator Parker, the court adjourned to 3 o'clock P. M.

IN SENATE.

Senator Wood introduced a bill entitled "An act prescribing the manner of transacting certain business in the General Land Office, and repealing a certain act therein named." Read first time and referred to committee on Land Office.

On motion of Senator Dillard, the Senate adjourned to 3 o'clock P. M.

AFTERNOON SESSION.

IN COURT.

The court met pursuant to adjournment. Roll called; quorum present.

The secretary was instructed to inform the board of managers and respondent that the court was now in session and ready to proceed to business.

The board of managers and respondent appearing within the bar of the court, Judge Chambers resumed his argument.

At the close of his remarks, Mr. Delaney, of the board of managers, addressed the court.

Pending his argument, on motion of Senator Wood, the court adjourned to 10 A. M. to-morrow.

IN SENATE.

On motion of Senator Westfall, the Senate adjourned to 9 A. M. to-morrow.

FIFTEETH DAY.

SENATE CHAMBER.

At 10 A. M., March 14, 1874. A

Senate met pursuant to adjournment. Roll called; quorum present.

Absent without leave: Senator Delapl.

Prayer by the chaplain.

Journal of yesterday read and adopted.

On motion of Senator Trolinger, Senator Parker was excused for the day on account of illness.

On motion of Senator Friend, Senator Ellis was granted a further leave of absence until Monday next.

Senator Westfall presented the petition

of Catlet Barnett heirs for bounty land. Read and referred to the Committee on Private Land Claims.

Senator Bradshaw presented a memorial from citizens of Tarrant county, asking that the Legislature do not grant the extension of time asked for by the Texas and Pacific road. Read and referred to Judiciary Committee.

Senator Westfall, for Committee on Enrolled Bills, submitted the following report:

Hon. R. E. Hubbard, President of the Senate:

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and compared the following Senate bills, to-wit: Senate bill No. 32, "An act to amend article 773 b, of 'An act to establish a Criminal Code for the State of Texas;'" Senate bill No. 53, "An act to amend article 587, of the Code of Criminal Procedure;" Senate bill No. 117, "An act to amend section thirteen of 'An act providing for a geological survey of the State of Texas,'" approved August 13, 1870; Senate bill No. 189, "An act to authorize justices of the peace to employ assistant assessors in certain cases;" and Senate bill No. 192, "An act to validate assessments made by assistant assessors," and find the same correctly enrolled, and have this thirteenth day of March, 1874, at 11:10 A. M., presented the same to the Governor for his approval.

W. H. WESTFALL, for Committee.

Senator Moore introduced a joint resolution "Urging our members in Congress to support the proposed amendment to the Constitution in regard to the tenure of office of the President and Vice President of the United States." Read and referred to Committee on Federal Relations.

A message was received from the House announcing the passage of a concurrent resolution, "To consider addresses against district judges at night sessions."

On motion of Senator Dillard, the message from the House was taken up and read.

Senator Dillard moved that the Senate concur in House resolution. *Lost.*

Report from special committee of free conference of the two houses:

Hon. R. E. Hubbard, President of the Senate:

Your committee of free conference on the disagreement between the two houses upon House bill No. 112, "An act to provide for the immediate apportionment of the school fund which should have been apportioned in December, 1873," have had the same under consideration, and have come to the following agreement: First, that the Senate recede from its amendments. Second, that the House agree that section two of the bill be amended so as hereafter to read as follows:

Section 2. The Superintendent of Public